

Message Text

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ACTION ARA-14

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R 041825Z MAY 78

FM AMEMBASSY MANAGUA

TO SECSTATE WASHDC 6490

INFO AMEMBASSY GUATEMALA

AMEMBASSY SAN JOSE

AMEMBASSY SAN SALVADOR

AMEMBASSY TEGUCIGALPA

C O N F I D E N T I A L SECTION 1 OF 2 MANAGUA 2068

E.O. 11652: GDS

TAGS: PINS, NU

SUBJECT: SOMOZA'S INITIATIVES: REPORT CARD

REF: A) MANAGUA 0926, B) MANAGUA 1051, C) MANAGUA 1217,

D) MANAGUA 1734, E) MANAGUA 1736, F) MANAGUA 1776

SUMMARY: DESPITE THE OPPOSITION'S REJECTION OR DISMISSAL OF ALL THE INITIATIVES PRESIDENT SOMOZA ANNOUNCED ON FEBRUARY 26, THERE HAS BEEN FURTHER ACTION ON SOME OF THE INITIATIVES (ELECTORAL PARTICIPATION, CHAMORRO ASSASSINATION INVESTIGATION, LANDLORD-TENANT RELATIONS, ETC.)

NONE OF THESE INITIATIVES, HOWEVER, REPRESENT ANY TANGIBLE MANIFESTATION OF AN EARLY SURRENDER OF POWER BY SOMOZA, WHICH THE OPPOSITION STATES IS THE SINE QUA NON FOR IT TO BELIEVE THAT SOMOZA CAN BE TRUSTED TO END FAMILY RULE. END SUMMARY.

1. PRESIDENT SOMOZA APPEARS TO ACCEPT A NEED FOR CHANGES TOWARD DEMOCRATIZATION OF NICARAGUA AND FOR PROGRAMS TO ACHIEVE SOCIAL REFORM TOWARDS GREATER BENEFITS FOR THE POOR. THIS WAS THE MESSAGE HE ATTEMPTED TO PORTRAY IN HIS FEBRUARY 26 SPEECH (REF A). IN THAT

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SPEECH HE PUBLICLY ANNOUNCED HIS INTENTION TO RETIRE FROM PUBLIC OFFICE (THE GON AND THE MILITARY) AT THE END OF HIS TERM IN 1981.

ALL AVAILABLE INFORMATION INDICATES THAT HIS PARTY (PLN) AND THE NATIONAL GUARD (GN) BELIEVE HIM AND HAVE ACCEPTED THAT EVENTUALITY.

THE STILL AMORPHOUS OPPOSITION, HOWEVER, IS ACUTELY AWARE OF PAST SOMOZA-FAMILY MACHINATIONS AND POWER PLAYS AND, THEREFORE, IS INCREDULOUS AND SHOW ALL INDICATIONS OF REMAINING SO UNTIL THERE IS TAN-

GIBLE EVIDENCE OF SOME SURRENDER OF SOMOZA'S CONTROL OF THE LEVERS OF POWER. IN THIS CONTEXT, THE FEBRUARY 26 INITIATIVES HAVE HAD LITTLE

IMPACT OF THE OPPOSITION ANALYSIS OF THE POLITICAL ENVIRONMENT.

2. CHAMORRO ASSASSINATION-PRESIDENT SOMTYA ANNOUNCED HE WOULD ESTABLISH A COMMISSION OF DISTINGUISHED PERSONS TO REVIEW THE INVESTIGATORY PROCEEDINGS. HE SUBSEQUENTLY INVITED THE INTER AMERICAN PRESS ASSN. (IAPA) TO SEND A REPRESENTATIVE TO PERFORM A SIMILAR ROLE (REF B). THE IAPA REJECTED THE INVITATION, AND WHEN SOMOZA FINALLY NAMED THE COMMISSION IN APRIL, THE MAJORITY DECLINED TO SERVE (REF D). LATER, PERHAPS ENCOURAGED BY AMBASSADOR'S STATEMENT TO SOMOZA THAT A POSSIBILITY EXISTS FOR EXTRADITION FROM THE U.S. OF ONE OF THE PRINCIPALS IMPLICATED BY TESTIMONY IN THE ASSASSINATION, AN EXTRADITION PROCEEDING WAS INITIATED (REF D). THE REQUEST, WHICH HAS NOT YET BEEN MADE, MAY PRESENT PROBLEMS FOR USG AS THE EVIDENCE IS SHAKY AND THE CASE MAY FALL OUTSIDE THE TERMS OF THE TREATY (CONSPIRACY RATHER THAN PARTICIPATION). FOR THE MOMENT, THE COMMISSION INITIATIVE APPEARS TO HAVE DIED STILLBORN, DESPITE THE STATEMENT OF ITS HEAD (MINGOV MORA) THAT HE IS SURE HE RECALCITRANT MEMBERS WILL EVENTUALLY REVERSE THEIR OBJECTIONS TO SERVICE ON THE COMMISSION. AS OF THIS WRITING, 114 DAYS HAVE PASSED SINCE THE ASSASSINATION WITHOUT ANY PROGRESS TOWARD IDENTIFICATION OF THE "INTELLECTUAL AUTHORS" OF THE CRIME. EVEN THOUGH THE EMOTIONAL REACTION HAS EBBED, THE DEMAND FOR JUSTICE IN THE CHAMORRO ASSASSINATION HAS NOT ABATED AND IS UNLIKELY TO DO SO UNLESS NEW REVELATIONS OCCUR. CONFIDENTIAL

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THE DEMAND FOR JUSTICE TRANSLATES DIRECTLY INTO A POPULAR DEMAND FOR THE RESIGNATION OF SOMOZA.

3. ELECTORAL REFORM- PRESIDENT SOMOZA ANNOUNCED A PROPOSAL TO PARTIALLY AMEND THE CONSTITUTION TO FACILITATE PARTICIPATION OF NEW POLITICAL PARTIES IN THE ELECTORAL PROCESS. THIS INITIATIVE HAS BEEN PASSED BY THE CONGRESS WITHOUT THE INVOLVEMENT OF THE OFFICIAL CONSERVATIVE PARTY (PCN) OPPOSITION. THE PCN POSITION, WHICH WAS SUPPORTED BY OTHER NON-OFFICIAL OPPOSITION PARTIES, IS THAT THE PARTIAL CONSTITUTIONAL REFORM DOES NOT MEET THEIR DEMAND FOR A NEW ELECTORAL MECHANISM WHICH WILL GUARANTEE FREE ELECTIONS. THE PROPOSAL HAS NOW BEEN RETURNED TO THE PRESIDENT, WHO MAY SUGGEST REVISIONS. IT WILL BE SENT BACK TO THE NEXT SESSION OF CONGRESS WHERE, IF APPROVED A SECOND TIME, IT BECOMES LAW. THERE REMAINS CONSIDERABLE FLEXIBILITY FOR MEETING THE OPPOSITION'S CONCERNS. PRESIDENT SOMOZA MAY INITIATE FURTHER CHANGES WHEN HE SENDS THE AMENDMENTS TO THE NEXT SESSION OF THE CONGRESS; IN THE NEXT SESSION, THE CONGRESS MAY INITIATE FURTHER CHANGES; OR, IF THE REFORM IS ADOPTED AS NOW WRITTEN, THERE STILL REMAINS FLEXIBILITY WHEN THE CONGRESS BEGINS FOLLOW-ON REVISION OF THE ELECTORAL LAW.

4. REPRESSION-PRESIDENT SOMOZA ANNOUNCED THAT NO LEGAL ACTION WOULD

BE TAKEN AGAINST PARTICIPANTS IN THE NATIONAL WORK STOPPAGE. TO A
LARGE EXTENT THIS COMMITMENT HAS BEEN OBSERVED. HOWEVER, PUBLIC EM-
PLOYEES WHO LEFT EHRI JOBS IN SUPPORT OF THE STRIKE HAVE BEEN FIRED
OR NOT REHIRED. ALSO THERE HAVE BEEN A FEW CASES OF HARASSMENT, AL-
BEIT LEGAL, OF LEADERS OF THE WORK STOPPAGE MOVEMENT, SUCH AS THEIR
BEING FORCED TO SUBMIT TO REDTAPE REQUIREMENTS FOR OBTAINING EXIT
VISAS FOR FOREIGN TRAVEL. THERE HAVE BEEN NUMEROUS INCIDENTS OF
VIOLENCE WHICH HAVE RESULTED FROM CLASHES BETWEEN THE GN OR GON SUP-
PORTERS AND ANTI-REGIME PROTESTORS. HOWEVER, DESPITE OPPOSITION
STATEMENTS, THE INSTANCES HAVE BEEN RELATIVELY FEW IN WHICH IT AP-
PEARS THEGN HAS EXCEEDED SOMOZA'S ORDERS TO USE MINIMUM FORCE TO
MAINTAIN ORDER. INVESTIGATIONS BY THE GN HAVE BEEN INITIATED IN EACH
OF THESE INSTANCES OF APPARENT EXCESS. THERE HAVE BEEN MANY MORE
INSTANCES OF PROTESTERS LIGHTING FIRES IN THE STREETS, ERECTING
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BARRICADES, THROWING BOMBS, AND THREATENING OR ATTACKING PRIVATE
CITIZENS AND THEIR HOMES THAN BY THE GON AND ITS SUPPORTERS. HOWEVER,
THERE ARE REPORTS OF A FEW, APPARENTLY RELATED INCIDENTS IN MANAGUA
WHICH COULD CONSTITUTE PRO-GOVERNMENT COUNTER-TERRORIST ACTIVITIES.

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C O N F I D E N T I A L SECTION 2 OF 2 MANAGUA 2068

5. MINOR REFORMS - THE CONGRESS HAS APPROVED THE NEW LAW REGARDING
LAND-TENANT RELATIONS AND UNDERUTILIZED LAND WHICH WAS ANNOUNCED BY

PRESIDENT SOMOZA. ONE OF THE OPPOSITION'S DEMANDS WAS FOR ABOLISHMENT OR REFORM OF THE RADIO AND TV CODE. PRESIDENT SOMOZA ANNOUNCED ON FEBRUARY 26 THAT IT WAS ALREADY UNDER STUDY BY THE CONGRESS. HE NOW APPARENTLY PLANS TO PROCEED WITH AN AMENDMENT OF THAT LAW.

6. SEVERAL OTHER SOCIAL WELFARE REFORMS WERE ANNOUNCED BY PRESIDENT SOMOZA. THESE, ACCORDING TO SOMOZA, WILL BE DEALT WITH IN THE NEXT SESSION OF CONGRESS.

7. THE OPPOSITION HAS RAISED SEVERAL DEMANDS BEYOND THE INITIATIVES ACCEPTED BY PRESIDENT SOMOZA. THESE INCLUDE: DIVORCING THE GN FROM SOMOZA CONTROL; RESTRUCTURING THE GN; INDEPENDENT, NON-POLITICAL CAREER STATUS FOR PUBLIC EMPLOYEES AND THE JUDICIAL BRANCH. SOMOZA HAS REPLIED PUBLICLY THAT HE IS WILLING TO ACCEPT ALL THESE DEMANDS AS NEGOTIABLE AS A RESULT OF A DIALOGUE-BUT NOT AS PRECONDITIONS TO SUCH DISCUSSIONS.

8. THE INTENTIONS OF PRESIDENT SOMOZA IN ACCOMMODATING OPPOSITION DEMANDS HAS BEEN FURTHER TESTED BY A LIST OF DEMANDS PRESENTED BY CONFIDENTIAL

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STUDENTS OCCUPYING SCHOOLS AND OTHERS ON HUNGER STRIKES. SOMOZA FIRST MET WITH ARCHBISHOP OBANDO Y BRAVO AND ACCEDED TO ACT ON FOUR OF THE STUDENT DEMANDS PRESENTED BY OBANDO. THE STUDENTS AND HUNGER STRIKERS RESPONDED BY SAYING THEY HAD SEVEN, NOT FOUR, DEMANDS. SOMOZA SUBSEQUENTLY MET ON APRIL 29 WITH A PARENT GROUP SUPPORTING THE PROTESTERS AND AGREEMENT WAS REACHED ON THE SEVEN POINTS. THIS RESULTED IN THE END OF THE HUNGER STRIKE AND SCHOOL OCCUPATIONS FOR A TWO-WEEK PERIOD WHILE THE PROTESTERS STUDY THE RESULTS OF THE AGREEMENT. THE MOST IMPORTANT CONCESSIONS BY SOMOZA WERE RELEASE FROM JAIL OF ONE FSLN PRISONER WHO RECENTLY HAD GIVEN BIRTH WHILE DETAINED, THE END OF ISOLATION FOR ANOTHER TWO FSLN PRISONERS (BORGE AND JAEN), NEW IMPROVED PRISON CONDITIONS FOR FEMALE FSLN PRISONERS AS RECOMMENDED BY THE INTERNATIONAL RED CROSS, AND A REDUCTION TO 15 DAYS (FROM 90 DAYS) CLOSURE OF A LOCAL RADIO STATION (THE 90-DAY SUSPENSION AGAINST THE SPECIFIC NEWS PROGRAM REMAINS IN EFFECT). THE MINISTRY OF EDUCATION'S CLOSING OF THE OCCUPIED SCHOOLS HAS BEEN REVOKED.

9. COMMENT: ALTHOUGH PRESIDENT SOMOZA STATES HE IS GROWING TIRED OF MAKING CONCESSIONS WITHOUT ANY INDICATION OF ACCOMMODATION FROM THE POLITICAL AND PRIVATE SECTOR OPPOSITION, IN FACT HE HAS MADE FURTHER CONCESSIONS AND HAS SHOWN NO INDICATION OF APPLYING THE MILITARY AND GOVERNMENTAL FORCE AVAILABLE TO HIM TO TRY TO BREAK THE PRESSURE BEING APPLIED ON HIM BY THE OPPOSITION. MEANWHILE, THE ARIEGATED SEGMENTS OF THE OPPOSITION CONTINUE TO BE VERY RELUCTANT TO RISK JEOPARDIZING THE TENUOUS UNITY THEY NOW HAVE BY MOVING AWAY FROM THEIR POSITION OF 'NO DIALOGUE WITH SOMOZA'. THE MAJOR PROBLEM OF THE OPPOSITION IS ITS LACK OF A NEGOTIABLE SPECIFIC PROGRAM TO DISMANTLE THE SOMOZA REGIME, AND OF AN EFFECTIVE STRUCTURE WITH A

UNIVERSALLY RECOGNIZED LEADERSHIP.

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